

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ROBERT BERTON; ELDON BOLTON;	)	
ANDREA BURNS; EDWARD BURNS;	)	
GAIL DWYER; STEPHEN DWYER;	)	
JAMES FARRELL; JANICE FARRELL;	)	
DANIEL GILLIS; WAYNE GOULD;	)	
ERIC M. LEVIN; BETSY SAWICKI;	)	
HOWARD SHAREFF; SHAREFF &	)	
ASSOCIATES DDS P.A.; CONSTANCE	)	JUDGMENT
UTECHT; MICHAEL UTECHT; and,	)	
ALAN WOLTMAN,	)	No. 5:11-CV-350-FL
Appellants,	)	
	)	
v.	)	
	)	
	)	
SILVERDEER, LLC,	)	
	)	
Appellee.	)	

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of appeal from an order of the United States Bankruptcy Court dated May 3, 2011.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered December 28, 2011, and for the reasons set forth more specifically therein, that the court affirms in part and reverses in part the bankruptcy court's award of attorney's fees. The case is now remanded to the bankruptcy court for further proceedings consistent with the court's decision.

**This Judgment Filed and Entered on December 29, 2011, and Copies To:**

James C. White (via CM/ECF Notice of Electronic Filing)  
Richard M. Hutson, II (via CM/ECF Notice of Electronic Filing)  
Howard A. Jacobson (via CM/ECF Notice of Electronic Filing)

December 29, 2011

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk